

Applicant : Jun-ichi Nezu et al.
Serial No. : 10/006,611
Filed : November 30, 2001
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Attorney's Docket No.: 14875-094001 / C2-103PCT-
US

REMARKS

Claims 1-92 are canceled. Applicants reserve the right to pursue canceled subject matter in one or more continuing applications. Claims 93-95 have been added by the present amendment. The new claims have support throughout the application as filed, e.g., at p.1, lines 9-10; p.2, lines 10-12; p.6 lines 17-24; p. 7, lines 6-8; p.8, lines 12-14; p.24 lines 7-10; p.25, line 29- p.26 line 1, p.26 lines 24-27, p.27 lines 3-5; Example 5; Example 6; and original claim 14. No new matter has been added.

Upon entry of this amendment claims 93-95 will be pending and under examination.

Rejections under 35 U.S.C. § 112, First Paragraph, Enablement

Claims 55-92 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly not enabled by the specification. Although Applicants disagree with the rejection, to expedite prosecution the rejected claims have been canceled, thereby obviating this rejection as to those claims.

New claims 93-95 are directed to subject matter the Examiner concedes is enabled. The Office Action paper on p.2 and again on p.5 states that the specification is "enabling for a transgenic postnatal mouse comprising a heterozygous disruption in the LKB1 gene as a result of recombinase mediated gene disruption prior to embryogenesis, wherein the mouse exhibits digestive tract polyposis...." Claim 93 conforms to the subject matter the Examiner recognizes as enabled, and the remaining claims depend on claim 93.

For the reasons presented above, Applicants respectfully request that this rejection be withdrawn.

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Rejections under 35 U.S.C. §112, Second Paragraph, Indefiniteness

Claims 56, 67, 77, and 84 stand rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite. Although Applicants disagree with the rejection, to expedite prosecution the rejected claims have been canceled, thereby obviating this rejection as to those claims.

New claims 93-95 contain none of the recitations Examiner rejected as allegedly indefinite. Applicants further submit that claims 93-95 particularly point out and distinctly recite the claimed subject matter.

For the reasons presented above, Applicants respectfully request that this rejection be withdrawn.


Please apply the Petition for Extension of Time fee of \$110.00 and any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 14875-094001.

Respectfully submitted,

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